

## **APPENDIX A**

### **PERTINENT LAWS, EXECUTIVE ORDERS, REGULATIONS, AND DIRECTIVES**

#### **PART 1**

#### **LAWS**

##### **1 ACT TO PREVENT POLLUTION FROM SHIPS, 33 U.S.C. § 1901 *et seq.***

Implements the International Convention on the Prevention of Pollution from Ships (MARPOL). Requires Federal agencies to promulgate regulations to conform vessel operations to MARPOL requirements, to the extent reasonable and practicable. Mandates full compliance by U.S. government vessels with MARPOL garbage discharge requirements. Imposes on Navy ships an obligation to comply with the 3/20-day plastic retention rule, the plastic processor installation schedule, and public reporting requirements for non-food waste discharges into special areas. Establishes deadlines for Navy surface ships and submarines to terminate over-board discharge of plastics and to observe special area requirements.

##### **2 ANTIQUITIES ACT OF 1906, 16 U.S.C. § 431 *et seq.***

Requires permits to study, remove, or excavate ruins, sites, structures, or objects of historic or scientific interest on Federal and Indian lands.

##### **3 ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979 (ARPA), 16 U.S.C. § 470aa *et seq.***

Requires permits to excavate or remove archeological resources on Federal and Indian lands.

##### **4 BALD EAGLE PROTECTION ACT, 16 U.S.C § 668 *et seq.***

Protects bald and golden eagles.

##### **5 CLEAN AIR ACT (CAA), 42 U.S.C. § 7401 *et seq.***

The primary Federal air pollution control law. Establishes national ambient air quality standards (NAAQS) for common air pollutants ("criteria pollutants"), and requires states, or EPA, should states fail to do so, to institute controls to achieve these standards. Increases the severity of pollution controls, as non-attainment of NAAQS increases. Also requires EPA to regulate 138 "hazardous air pollutants," and sets national emission standards for these (NESHAP). Implements the Montreal Protocol on Ozone Depleting Substances (ODS) by mandating that production of ODS be phased out, prohibiting intentional venting of ODS to the atmosphere, and requiring certification of service technicians.

##### **6 COASTAL BARRIERS RESOURCES ACT OF 1982, 16 U.S.C. § 3501 *et seq.***

Restricts Federal development incentives along the Atlantic coast and the Gulf of Mexico, to prevent loss of human life and property to storms, to protect fish and wildlife habitat, and to reduce Federal expenditures.

**7 COASTAL ZONE MANAGEMENT ACT OF 1972 (CZMA), 16 U.S.C. § 1451 *et seq.***

Provides incentives for coastal states to develop coastal management programs for several beneficial purposes including water pollution control, especially from non-point sources. State coastal zone management programs frequently incorporate flood control, water quality and wetlands protections, and coastal development restrictions, among other elements. Prescribes that Federal actions that may affect the coastal zone must be consistent with Federally-approved management programs to the maximum extent practicable.

**8 COMMUNITY ENVIRONMENTAL RESPONSE FACILITATION ACT (CERFA), 42 U.S.C. §§ 9601 note, 9620.**

Amends CERCLA § 120(h) to expedite redevelopment of closing Federal facilities. Requires that prior to disposing of real property to organizations outside the Federal Government, agencies must clean up sites contaminated with hazardous waste.

**9 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 (CERCLA), 42 U.S.C. § 9601 *et seq.***

The primary Federal law on clean-up of hazardous substances, more commonly known as the Superfund law, after the special account it creates to pay for clean-ups. (Corrective action and underground storage tank provisions of the Resource Conservation and Recovery Act (RCRA) also require clean-up of contamination.) Empowers EPA to identify and prioritize sites needing clean-up, and to order or carry out environmental remediation. Imposes strict, joint and several liability for clean-up on persons whose actions caused hazardous substances to be released into the environment, subject only to limited defenses. Mandates reporting releases of hazardous substances to the National Response Center. Also mandates, in concert with the Clean Water Act, that a National Contingency Plan be developed for responding to oil spills and releases of hazardous substances. The Superfund Amendments and Reauthorization Act of 1986 established the Defense Environmental Restoration Account, which is codified at 10 U.S.C. § 2701.

**10 CONSERVATION PROGRAMS ON MILITARY INSTALLATIONS (SIKES ACT), 16 U.S.C. § 670(a) *et seq.***

Requires military departments to manage natural resources (including fish and wildlife) on their lands, to train natural resources personnel in fish and wildlife management, and to give priority to contracting work with Federal and State agencies that manage or conserve fish and wildlife. Authorizes military departments to enter into cooperative agreements with states, local governments, and others, on a matching funds basis, to carry out natural resources projects.

**11 DEFENSE APPROPRIATIONS ACT OF 1991.**

Establishes the Legacy Resource Management Program for stewardship of biological, geophysical, cultural and historic resources on DOD lands.

**12 EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986 (EPCRA), 42 U.S.C. § 11001 *et seq.***

EPCRA, also known as Title III of the Superfund Amendments and Reauthorization Act (SARA), requires that hazards associated with release of toxic chemicals be communicated to public safety agencies, so that they may be prepared in case of emergency. Requires that state and local emergency responders be notified immediately of oil spills and releases of hazardous substances. Requires states and localities to plan for chemical emergencies. Certain industries must also submit information on chemicals in inventory and on fugitive emissions that may occur.

**13 ENDANGERED SPECIES ACT OF 1973 (ESA), 16 U.S.C. § 1531 *et seq.***

Protects endangered and threatened species of plants and animals, and their critical habitat. Establishes a process for identifying and listing species, requires Federal agencies to pursue conservation policies, and prohibits actions by Federal agencies that may adversely affect endangered or threatened species, or critical habitat. Requires consultations with Federal wildlife management agencies, on actions that may jeopardize species or habitat. Prohibits the "taking" of endangered species by causing harm or harassment. ESA applies not only within the U.S., but also on the high seas.

**14 FEDERAL ANTI-DEFICIENCY ACT, 31 U.S.C. § 1341 *et seq.***

Provides that Federal employees may not obligate the Government to expend funds for any purpose in advance of appropriations by Congress.

**15 FEDERAL FACILITY COMPLIANCE ACT OF 1992 (FFCA), 42 U.S.C. §§ 6901 *note*, 6908.**

Subjects solid and hazardous waste management at Federal facilities to the enforcement authority of Federal and State regulators. Requires Federal agencies to pay non-discriminatory regulatory fees and service charges. Waives the immunity of Federal facilities to fines and penalties for solid and hazardous waste violations.

**16 FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA), 7 U.S.C. § 136 *et seq.***

Requires registration of pesticides and certification of pesticide applicators. Also requires that pesticide containers be labeled with instructions on use, storage, and disposal, and requires EPA to accept and safely dispose of recalled pesticides. Prohibits purchase, distribution, or use of pesticides that are not registered, or for which registration has been canceled or suspended, and also prohibits application, storage, or disposal of pesticides or pesticide containers contrary to regulation.

**17 FEDERAL NOXIOUS WEED ACT OF 1974, 7 U.S.C. § 2814**

Authorizes management of undesirable plants on Federal lands; delineates management duties of Federal agencies, including environmental planning; and, specifies the content of cooperative agreements with State agencies.

**18 FEDERAL WATER POLLUTION CONTROL ACT (CLEAN WATER ACT (CWA)), 33 U.S.C. § 1251 *et seq.***

The primary Federal water pollution control law for navigable waters. Establishes the National Pollutant Discharge Elimination System (NPDES), a permit program to control discharge of pollutants (broadly defined) from point sources. NPDES permits incorporate industry-specific, technology based effluent standards, and water quality based effluent standards. Establishes the Dredge and Fill Permit Program, to control discharge of dredged or fill material. Requires Federal agencies to accommodate State non-point source pollution control programs.

**19 FISH AND WILDLIFE CONSERVATION ACT OF 1980, 16 U.S.C § 2901 *et seq.***

Protects and conserves, and provides for restoration and propagation of certain species, including migratory birds threatened with extinction.

**20 FISH AND WILDLIFE COORDINATION ACT, 16 U.S.C. § 661 *et seq.***

Integrates fish and wildlife conservation programs with Federal water development projects and conservation projects that effect water resources.

**21 FOREST RESOURCES CONSERVATION AND SHORTAGE RELIEF ACT OF 1990, 16 U.S.C. § 620 *et seq.***

Regulates export of unprocessed timber from Federal lands in western states. Also prohibits timber sales on Federal lands west of the 100th meridian (in the contiguous 48 states), for purposes of exportation, or to substitute for timber exported from private lands. Allows exceptions under a program that defines species and grades of timber that may be sold.

**22 HISTORIC SITES, BUILDINGS, AND ANTIQUITIES ACT, 16 U.S.C. § 461 *et seq.***

Requires Federal agencies to avoid undesirable impacts on sites, buildings, and antiquities listed on the National Registry of Natural Landmarks .

**23 MARINE MAMMAL PROTECTION ACT OF 1972 (MMPA), 16 U.S.C. § 1431 *et seq.***

Prohibits the "taking" of marine mammals in the U.S. or on the high seas, subject only to limited exceptions. "Taking" includes any harm or harassment. Authorizes the Secretary of Commerce to allow incidental taking of protected species that occurs in connection with an approved activity, if the impact on the species is limited.

**24 MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT, 33 U.S.C. § 1401.**

Prohibits transportation without a permit of any "material" to be dumped in the ocean. Establishes the National Marine Sanctuary program, under which the National Oceanic and Atmospheric Administration (NOAA) designates marine sanctuaries for protection. NOAA regulations also restrict discharges from vessels and from aircraft in flight.

**25 MIGRATORY BIRD TREATY ACT, 16 U.S.C. § 703.**

Implements international treaties protecting migratory birds. Prohibits taking or harming migratory (and certain other) birds, and their eggs, nests, and young, without a permit.

**26 MILITARY CONSTRUCTION AUTHORIZATION ACT OF 1975, 10 U.S.C. § 2665.**

Allows proceeds from the sale of recyclable materials to be credited to a military installation, to cover specified costs.

**27 MILITARY CONSTRUCTION CODIFICATION ACT, 10 U.S.C. § 2577 *et seq.***

Provides guidance on the sale of recyclable materials.

**28 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (NEPA), 42 U.S.C. § 4321 *et seq.***

The primary Federal environmental planning law. Requires Federal agencies to identify, consider, and document reasonably likely environmental impacts of proposed actions and legislation. Prescribes preparation of a comprehensive, inter-disciplinary environmental impact statement for major Federal actions significantly affecting the quality of the human environment.

**29 NATIONAL HISTORIC PRESERVATION ACT, 16 U.S.C. § 470 *et seq.***

Requires Federal agencies to consider the effects of undertakings on objects, structures, and areas listed or eligible for listing on the National Register of Historic Places. Protects properties of historical and cultural significance by requiring Federal agencies to identify and nominate them for listing on the National Register, and to maintain them in accordance with standards prescribed by the Secretary of the Interior. Requires consultations with State Historic Preservation Officers on undertakings with potential to affect historic properties.

**30 NOISE CONTROL ACT OF 1972, 42 U.S.C. § 4901 *et seq.* (as amended by the Quiet Communities Act).**

Authorizes Federal noise emission standards for commercial products, and seeks coordination of Federal noise control research.

**31 OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (OSHA), 29 U.S.C. § 651 *et seq.***

Authorizes setting and enforcing standards for safe and healthy working conditions. Assists states to assure safe and healthy working conditions through research, information exchange, education, and training in occupational health and safety.

**32 OIL POLLUTION ACT OF 1990 (OPA 90), 33 U.S.C. § 2701 *et seq.***

Imposes strict liability for oil spills, and prescribes damages recoverable due to oil spills. Mandates extensive planning to respond to oil spills from tank vessels and oil production and storage facilities onshore and offshore. . OPA 90 does not apply to public vessels.

**33 OUTDOOR RECREATION PROGRAMS ORGANIC ACT, 16 U.S.C. § 460l *et seq.***

Requires Federal agencies to consult with the Secretary of Interior on plans and activities relating to outdoor recreation, and to manage outdoor recreation programs in conformity with a nationwide plan.

**34 POLLUTION PREVENTION ACT OF 1990 (PPA), 42 U.S.C. § 13101 *et seq.***

Establishes a national policy that “pollution should be prevented or reduced at the source whenever feasible,” and similarly, that pollutants should be recycled in an environmentally safe manner. Disposal of pollutants should also be conducted in an environmentally safe manner, and pollutants should be released into the environment only as a last resort.

**35 RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976 (RCRA), 42 U.S.C. § 6901 *et seq.***

The primary Federal hazardous waste management law. RCRA amends the Solid Waste Disposal Act (SWDA), establishing the duties and liabilities of hazardous waste generators, transporters, storers, treaters and disposers. Imposes “cradle to grave” recordkeeping obligations for hazardous waste. Authorizes EPA to issue corrective action orders, to compel responsibility parties to clean-up hazardous waste. Regulates underground storage tanks, imposing requirements for structural integrity and management practices.

**36 SAFE DRINKING WATER ACT (SDWA), 42 U.S.C. § 300f *et seq.***

Imposes safeguards on collecting, treating, and distributing drinking water, and delegates primary enforcement authority to states with EPA-approved programs. Requires EPA to issue primary drinking water standards for protection of public health. Allows EPA to designate and protect Sole Source Aquifers that are communities’ principal sources of drinking water, And requires states to adopt Wellhead Protection programs, to prevent contamination of ground water.

**37 SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT, 16 U.S.C. § 590a *et seq.***

Applies soil conservation practices to Federal lands.

**38 TOXIC SUBSTANCES CONTROL ACT (TSCA), 15 U.S.C. § 2601 *et seq.***

Regulates the manufacture, use, distribution in commerce, and disposal of chemical substances that present a hazard to human health or the environment. Its major purpose is to characterize and inform of the risks of toxic chemicals before they are introduced into commerce. Imposes specific requirements relative to Polychlorinated Bi-phenyls (PCBs), asbestos, and radon.

**PART 2**

**FEDERAL REGULATIONS**

**1 CODE OF FEDERAL REGULATIONS**

The Code of Federal Regulations (CFR), which is updated annually, consists of 50 titles of regulations issued by Federal agencies. The CFR is where regulations published in the *Federal Register* are codified by

agency. For example, regulations issued by the EPA under the heading "Protection of the Environment" are codified in Title 40.

Relevant CFRs include:

1. 15 C.F.R. pt. 923, Coastal Zone Management Program Development and Approval Regulation;
2. 15 C.F.R. pt. 930, Federal Consistency with Approved Coastal Management Programs;
3. 15 C.F.R. pt. 990, Natural Resource Damage Assessments;
4. 18 C.F.R. pt. 1312, Archeological Resource Protection Act Regulations;
5. 29 C.F.R. pt. 1910, Occupational Safety and Health Standards;
6. 29 C.F.R. pt. 1910.120, Hazardous Waste and Emergency Response;
7. 29 C.F.R. pt. 1910.1200, Hazard Communication Standard;
8. 32 C.F.R. pt. 172 (DOD Instruction 7310.1), Disposition of Proceeds from Sales of Surplus Property;
9. 32 C.F.R. pt. 190, Natural Resources Management Program;
10. 32 C.F.R. pt. 775, DON Procedures for Implementing the National Environmental Policy Act (NEPA);
11. 33 C.F.R. pt. 154, Oil Pollution Prevention Regulations for Marine Oil Transfer Facilities;
12. 33 C.F.R. pt. 156, Oil and Hazardous Material Transfer Operations;
13. 33 C.F.R. pt. 330, Dredge & Fill Nationwide Permit Program;
14. 36 C.F.R. pt. 800, National Historic Preservation Act (NHPA) Regulations for the Protection of Historic Properties;
15. 40 C.F.R. pt. 6, EPA Regulations on Implementation of National Environmental Policy Act Procedures;
16. 40 C.F.R. pt. 50, National Primary and Secondary Ambient Air Quality Standards;
17. 40 C.F.R. pt. 51-52, Preparation, Adoption, Submittal, Approval and Promulgation of Implementation Plans;
18. 40 C.F.R. pt. 53, Ambient Air Monitoring Reference and Equivalent Methods;
19. 40 C.F.R. pt. 55, Outer Continental Shelf Air Regulations;
20. 40 C.F.R. pt. 56, Regional Consistency Under the Clean Air Act;
21. 40 C.F.R. pt. 58, Ambient Air Quality Surveillance Regulations;

22. 40 C.F.R. pt. 60, New Source Performance Standards;
23. 40 C.F.R. pt. 61, National Emissions Standards for Hazardous Air Pollutants;
24. 40 C.F.R. pt. 62, State Plans for Designated Facilities and Pollutants;
25. 40 C.F.R. pt. 65, Delayed Compliance Orders Under the Clean Air Act;
26. 40 C.F.R. pt. 66, Assessment and Collection of Noncompliance Penalties;
27. 40 C.F.R. pt. 68, Chemical Accident Prevention Provisions;
28. 40 C.F.R. pt. 69, Special Exemptions from Requirements of the Clean Air Act;
29. 40 C.F.R. pt. 70, State Operating Permit Programs;
30. 40 C.F.R. pt. 80, Regulation of Fuels and Fuel Additives;
31. 40 C.F.R. pt. 81, Regulations Designating Areas for Air Quality Planning;
32. 40 C.F.R. pt. 82, Stratospheric Ozone Protection Regulations;
33. 40 C.F.R. pt. 86, Control of Air Pollution from New and In-Use Motor Vehicle Engines: Certification and Test Procedures;
34. 40 C.F.R. pt. 87, Control of Air Pollution and Aircraft and Aircraft Engines;
35. 40 C.F.R. pt. 104, Public Hearings on Effluent Standards for Toxic Pollutants;
36. 40 C.F.R. pt. 109, Criteria for State, Local, and Regional Oil Removal Contingency Plans;
37. 40 C.F.R. pt. 110, Discharge of Oil;
38. 40 C.F.R. pt. 112, Oil Pollution Prevention;
39. 40 C.F.R. pt. 113, Liability for Small Onshore Oil Storage Facilities;
40. 40 C.F.R. pt. 116-117, Hazardous Substances;
41. 40 C.F.R. pt. 122, National Pollutant Discharge Elimination System Permit Regulations;
42. 40 C.F.R. pt. 125, Criteria and Standards for the National Pollutant Discharge Elimination System;
43. 40 C.F.R. pt. 129, Toxic Pollutant Effluent Standards;
44. 40 C.F.R. pt. 130, Requirements for Water Quality Planning and Management;



45. 40 C.F.R. pt. 141-143, National Drinking Water;
46. 40 C.F.R. pt. 148, Hazardous Waste Disposal Restrictions for Class I Wells;
47. 40 C.F.R. pt. 150-186, Pesticide Programs;
48. 40 C.F.R. pt. 162, Insecticide, Fungicide, and Rodenticide Use;
49. 40 C.F.R. pts. 220-225, 227-229, Ocean Dumping Regulations and Criteria;
50. 40 C.F.R. pt. 230, Discharge of Dredged or Fill Material into Navigable Waters;
51. 40 C.F.R. pt. 231, Disposal Site Determination Under the Clean Water Act;
52. 40 C.F.R. pts. 240-241, Guidelines for the Thermal Processing of Solid Wastes and for the Land Disposal of Solid Wastes;
53. 40 C.F.R. pt. 243, Guidelines for Solid Waste Storage and Collection;
54. 40 C.F.R. pt. 244, Guidelines for Solid Waste Management of Beverage Containers;
55. 40 C.F.R. pt. 245, Guidelines for Resource Recovery Facilities;
56. 40 C.F.R. pt. 246, Guidelines for Source Separation for Materials Recovery;
57. 40 C.F.R. pt. 247, Guidelines for Procurement of Products that Contain Recycled Material;
58. 40 C.F.R. pt. 248, Guidelines for Federal Procurement of Building Insulation Products Containing Recovered Materials;
59. 40 C.F.R. pt. 249, Guidelines for Federal Procurement of Cement and Concrete Containing Fly Ash;
60. 40 C.F.R. pt. 250, Guidelines for Federal Procurement of Paper and Paper Products Containing Recovered Materials;
61. 40 C.F.R. pt. 252, Guidelines for Federal Procurement of Lubricating Oils Containing Re-refined Oil;
62. 40 C.F.R. pt. 253, Guidelines for Federal Procurement of Retread Tires;
63. 40 C.F.R. pt. 255, Guidelines for Identification of Regions and Agencies for Solid Waste Management;
64. 40 C.F.R. pt. 257, Criteria for Classification of Solid Waste Disposal Facilities and Practices;
65. 40 C.F.R. pt. 259, Medical Waste;
66. 40 C.F.R. pts. 260-270, Regulations Implementing RCRA;
67. 40 C.F.R. pt. 262, Hazardous Waste Generators;

- 68. 40 C.F.R. pt. 264, Owners and Operators of Permitted Hazardous Waste Facilities;
- 69. 40 C.F.R. pt. 268, Land Disposal Restrictions;
- 70. 40 C.F.R. pt. 273, Universal Waste Management Standards;
- 71. 40 C.F.R. pt. 279, Used Oil Management Standards;
- 72. 40 C.F.R. pt. 280, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks;
- 73. 40 C.F.R. pt. 300, National Oil and Hazardous Substances Pollution Contingency Plan under CERCLA and CWA;
- 74. 40 C.F.R. § 300.600, National Oil and Hazardous Substances Pollution Contingency Plan (NCP), Designation of Federal Trustees;
- 75. 40 C.F.R. § 300.615, Responsibilities of Trustees;
- 76. 40 C.F.R. pt. 302, Designation, Reportable Quantities and Notification Requirements for Hazardous Substances under CERCLA;
- 77. 40 C.F.R. pt. 355, Emergency Planning and Notification Under CERCLA;
- 78. 40 C.F.R. pt. 370, Hazardous Chemical Reporting and Community Right-To-Know Requirements;
- 79. 40 C.F.R. pt. 372, Toxic Chemical Release Reporting;
- 80. 40 C.F.R. pt. 373, Real Property Transactions under CERCLA;
- 81. 40 C.F.R. pt. 403, General Pretreatment Regulations for Existing and New Sources of Pollution;
- 82. 40 C.F.R. pt. 413, Effluent Guidelines and Standards for Electroplating;
- 83. 40 C.F.R. pt. 414, Effluent Guidelines and Standards for Organic Chemicals;
- 84. 40 C.F.R. pt. 415, Guidelines and Standards for Inorganic Chemicals;
- 85. 40 C.F.R. pt. 417, Effluent Guidelines and Standards for Soaps and Detergents;
- 86. 40 C.F.R. pt. 433, Effluent Guidelines and Standards for Metal Finishing;
- 87. 40 C.F.R. pt. 504, State Sludge Management Program Regulations;
- 88. 40 C.F.R. pts. 760-761, Controlling PCBs;
- 89. 40 C.F.R. pts. 1500-1508, Council on Environmental Quality Regulations on Implementing National

Environmental Policy Act Procedures;

- 90. 41 C.F.R. pts. 41-47, Disposal Regulations;
- 91. 43 C.F.R. pt. 11, Natural Resource Damage Assessments;
- 92. 49 C.F.R. pts. 100-199, Hazardous Materials Transportation;
- 93. 49 C.F.R. pt. 126, Pesticide Transportation;
- 94. 49 C.F.R. pt. 194, Oil Pollution Prevention Regulations for Onshore Pipelines;
- 95. 50 C.F.R. pt. 10, General Provisions for Statutes Administered by the U.S. Fish and Wildlife Service;
- 96. 50 C.F.R. § 10.13, List of Migratory Birds;
- 97. 50 C.F.R. §§ 17.11 and 17.12, List of Endangered and Threatened Wildlife;
- 98. 50 C.F.R. pts. 18, 216, 228, Marine Mammals;
- 99. 50 C.F.R. pt. 402, Interagency Cooperation - Endangered Species Act of 1973.

### **PART 3**

#### **EXECUTIVE ORDERS AND REORGANIZATION PLANS**

**1 EXECUTIVE ORDER 11644, Use of Off-Road Vehicles on the Public Lands (8 February 1972).  
Amended by E.O. 11989 and E.O. 12608.**

Requires Federal land management agencies, including DOD, to issue regulations governing use of off-road vehicles on public lands, protect natural resources and the safety of individuals. Clarifies agency authority to define zones of use by off-road vehicles, and amends E.O. 11644 by exempting fire, military, emergency, law enforcement, and combat and combat support vehicles.

**2 EXECUTIVE ORDER 11990, Protection of Wetlands (24 May 1977).**

Requires Federal agencies to avoid new construction in wetlands, or providing assistance to new construction in wetlands, unless there is no practicable alternative, and measures to minimize harm to wetlands have been implemented.

**3 EXECUTIVE ORDER 12088, Federal Compliance with Pollution Control Standards (13 October 1978).**

Provides that the head of each Federal agency is responsible for compliance with “applicable pollution control standards,” defined as “the same substantive, procedural and other requirements that would apply to a private person.” Requires Federal agencies to cooperate with EPA, States, and local agencies to prevent, control and abate environmental pollution. Requires the EPA to provide technical advice and assistance to

Federal agencies on cost effective and timely compliance with pollution control standards. Provides that disputes between the EPA and Federal agencies, regarding environmental violations, shall be elevated to the Office of Management and Budget for resolution.

**4 EXECUTIVE ORDER 12114, Environmental Effects Abroad of Major Federal Actions (4 January 1979).**

Requires environmental planning for actions proposed to be undertaken outside the geographical borders of the U.S.

**5 EXECUTIVE ORDER 12146, Management of Federal Legal Resources (18 July 1979).**

Provides that Federal agencies whose heads serve at the pleasure of the President shall submit inter-agency legal disputes to the Attorney General.

**6 EXECUTIVE ORDER 12344, Naval Nuclear Propulsion Program (1 February 1982).**

Provides that the Director of the Naval Nuclear Propulsion shall set and enforce standards for reactor safety, and for control of radiation and radioactivity associated with Naval nuclear propulsion.

**7 EXECUTIVE ORDER 12580, Superfund Implementation (23 January 1987).**

Delegates to certain Federal agencies, including DOD, powers of the President under the Comprehensive Environmental Response, Compensation, and Liability Act.

**8 EXECUTIVE ORDER 12777, Implementation of Section 311 of the Federal Water Pollution Control Act of 1972, and the Oil Pollution Act of 1990 (18 October 1991).**

Delegates to the EPA and the Coast Guard powers of the President under the Clean Water Act and the Oil Pollution Act of 1990.

**9 EXECUTIVE ORDER 12780, Federal Agency Recycling and the Council on Federal Agency Recycling and Procurement Policy (31 October 1991).**

Requires Federal agencies to promote cost-effective waste reduction and recycling of reusable materials, and establishes a preferences for procurement of items made from recycled material.

**10 EXECUTIVE ORDER 12843, Procurement Requirements and Policies for Federal Agencies for Ozone-Depleting Substances (21 April 1993).**

Mandates use of non-ozone-depleting substances where economically practicable, and demonstration of leadership to phase out ozone depleting substances.

**11 EXECUTIVE ORDER 13148, Greening the Government Through Leadership in Environmental Management (22 April 2000).**

Requires integration of environmental accountability into agencies' day-to-day decision-making and long-term planning processes, across all missions, activities, and functions. These requirements shall be met

through environmental management systems, compliance audits, planning and reporting under the Pollution Prevention and Emergency Planning and Community Right-to-Know Acts, reduction of ozone depleting substances, and use of environmentally and economically beneficial landscaping.

**12 EXECUTIVE ORDER 13101, Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition (14 September 1998).**

Requires Federal agencies to incorporate waste prevention and recycling into daily operations, and to use Federal preference in procurement to increase and expand markets for products manufactured from recycled material. Establishes policy favoring pollution prevention, whenever feasible, and limiting land disposal to the method of last resort.

**13 EXECUTIVE ORDER 12898, Environmental Justice (11 February 1994).**

Deals with Federal actions to address environmental justice in minority populations and low-income populations.

**14 EXECUTIVE ORDER 13112, Invasive Species (3 February 1999).**

Establishes a National Invasive Species Council (NISC), which provides national leadership regarding invasive species. The specific focus of the Council is to ensure that Federal agency activities concerning invasive species are coordinated, complementary, cost-efficient, and effective.

**15 EXECUTIVE ORDER 13123, Greening the Government Through Efficient Energy Management (3 June 1999).**

Requires Federal agencies to significantly improve energy management in order to save taxpayer dollars and reduce emissions that contribute to air pollution and global climate change. Effective energy management shall be achieved by energy efficient building design, construction, and operation; water conservation; use of renewable energy products; and fostering markets for emerging technology. This order builds on work begun under the Energy Policy Act (EPACT) of 1992.

**16 EXECUTIVE ORDER 13186, Responsibilities of Federal Agencies to Protect Migratory Birds (10 January 2001).**

Recognizes the ecological and economic value of migratory birds in conjunction with the Migratory Bird Act and numerous international migratory bird conventions. Requires Federal agencies whose actions are likely to have a measurable negative effect on migratory bird populations to establish a memorandum of understanding (MOU) with the Fish and Wildlife Service that shall promote the conservation of migratory bird populations.

**PART 4**

**DEPARTMENT OF DEFENSE DIRECTIVES AND INSTRUCTIONS**

1. DOD Directive 4001.1 of 4 September 1986, Installation Management; (NOTAL removed due to the availability of these documents to the general public)

2. DOD Directive 4140.1 of 4 January 1993 and change-2 of 8 December 1995, Material Management Policy;
3. DOD Directive 4150.7 of 22 April 1996, DOD Pest Management Program;
4. DOD Directive 4165.57 of 8 November 1977, Air Installations Compatible Use Zones;
5. DOD Directive 4700.4 of 24 January 1989, Natural Resources Management Program;
6. DOD Directive 4705.1 of 9 July 1992, Management of Land-based Water Resources in Support of Joint Contingency Operations;
7. DOD Directive 4710.1 of 21 June 1984, Archeological and Historical Resources Management;
8. DOD Directive 4715.1 of 24 February 1996, Environmental Security;
9. DOD Directive 4715.2 of 3 May 1996, DOD Regional Environmental Coordination;
10. DOD Directive 4715.3 of 3 May 1996, Environmental Conservation Program;
11. DOD Directive 4715.4 of 18 June 1996, Pollution Prevention;
12. DOD Directive 4715.5 of 22 April 1996, Management of Environmental Compliance at Overseas Installations;
13. DOD Directive 4715.6 of 24 April 1996, Environmental Compliance;
14. DOD Directive 4715.7 of 22 April 1996, Environmental Restoration Program;
15. DOD Directive 4715.8 of 2 February 1998, Environmental Remediation for DOD Activities Overseas;
16. DOD Directive 4715.9 of 3 May 1996, Environmental Planning and Analysis;
17. DOD Directive 4715.10 of 24 April 1996, Environmental Education Training and Career Development;
18. DOD Directive 4715.11 of 17 August 1999, Environmental and Explosive Safety Management on Department of Defense Active and Inactive Ranges within the United States;
19. DOD Directive 4715.12 of 19 August 1999, Environmental and Explosive Safety Management on Department of Defense Active and Inactive Ranges Outside the United States;
20. DOD Directive 6050.4 of 16 March 1982, Marine Sanitation Devices for Vessels Owned or Operated by the Department of Defense;
21. DOD Directive 6050.5 of 29 October 1990, DOD Hazard Communication Program;
22. DOD Directive 6050.7 of 31 March 1979, Environmental Effects Abroad of Major Department of Defense Actions;

23. DOD Directive 6050.15 of 14 June 1985, Prevention of Oil Pollution from Ships Owned or Operated by the DOD;
24. DOD Directive 6050.16 of 20 September 1991, DOD Policy for Establishing and Implementing Environmental Standards at Overseas Installation.